

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
INNOVIUS, LLC,

Plaintiff,

-against-

SHARP CORPORATION,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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DATE FILED: 2/5/2021

21 Civ. 906 (AT)

ORDER

On February 2, 2021, Plaintiff Innovius, LLC filed this case in federal court against Defendant Sharp Corporation, invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332. ECF No. 1 ¶ 6. If Innovius, LLC is, indeed, a limited liability company, as its name would imply, then the complaint must allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company.

Accordingly, by **February 12, 2021**, Plaintiff shall amend its pleading to allege the citizenship of each constituent person or entity. *See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51–52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”). If Plaintiff fails to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: February 5, 2021
New York, New York



ANALISA TORRES
United States District Judge